

MCKEE, VOORHEES & SEASE, PLC  
MCKEE, VOORHEES & SEASE, PLC

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DATE: November 4, 2002

TO: Medina Ibrahim

COMPANY: United States Patent and Trademark Office

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FROM: Carole Rasmussen on behalf of Heidi S. Nebel

NUMBER OF PAGES (Including cover): 4

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COMMENTS:

09/771,045  
P05573US3

Please see the attached response to the restriction requirement and the Auto-Reply fax transmission sheet from 4/24/02. Please call if you have any questions.

HSN/cr

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11/04/02 MON 10:28 FAX 5152881338

MCKEE VOORHEES & SEASE

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11/04/02 14:22:15

USPTO->

515-288-1338 RAY FAX

Page 001

TO:Auto-reply fax to 5152881338 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 5152881338

Fax Information

Date Received:

4/24/02 2:19:19 PM [Eastern Daylight Time]

Total Pages:

2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received  
Cover  
Page

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11/04/02 14:22:15 FAX 5152881338	MCKEE VOORHEES & SEASE	ED002
PATENT		
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE		
APPLICANT :	Dyadic, et al.	
SERIAL NO. :	09/771,945	
FILED :	January 25, 2001	
TITLE :	AMINO POLY(AMINO ACID) PEPTIDES AND RELATED POLY(AMINO ACID) PEPTIDES AND METHODS OF USE	
Off. I.A.U. :	1658	
Examiner :	D. K. Klemm, M.	
Conf. No. :	757	
Docket No. :	P01572015	
RESPONSE TO RESTRICTION REQUIREMENT		
Attention Commissioner for Patents Washington, D.C. 20231		
Dear Sir:		
In response to the Restriction Requirements (dated March 26, 2002), applicant hereby elects with respect to Group I, claims 1, 8 and 12-19, drawn to an isolated polypeptide containing ARA-002 (a peptide consisting of a methionine residue, a tyrosine residue, and a tryptophan residue) and a method of using it comprising (i) claims 9 through 11 and 20-22 will be canceled unless a notice of allowance is received for Group I.		
With respect to the species election, applicant previously elected, again with respect to the species of SEQ ID No. 23. In the present case a generic status is not found allowable, and the election is maintained, the election will be limited to the elected species.		
CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.14 (4)(iii))		
I hereby certify that the above document and the documents referred to in heretounder are being furnished via facsimile transmission to the U.S. Patent and Trademark Office at (202) 707-4700, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on (11/04/02) at (14:22:15 PM Eastern Daylight Time).		
 Nancy S. Price		

Received from 5152881338 at 11/04/02 10:25:26 AM [Eastern Standard Time]

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fb  
11/4/02  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Duvick, et al.  
 SERIAL NO : 09/771,045  
 FILED : January 26, 2001  
 TITLE : AMINO POLYOL AMINE OXIDASE POLYNUCLEOTIDES AND  
 RELATED POLYPEPTIDES AND METHODS OF USE

Grp./A.U. : 1638  
 Examiner : Ibrahim, M.  
 Conf. No. : 7253  
 Docket No. : P05573US3

## RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

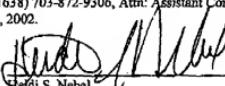
Dear Sir:

In response to the Restriction Requirement dated March 26, 2002, applicant hereby elects with traverse to proceed with Group I - claims 1-8 and 12-19, drawn to an isolated polynucleotide encoding APAO enzyme in a recombinant cassette, and transgenic plant/cell/seed comprising it. Claims 9 through 11 and 20-22 will be canceled once a notice of allowance is received for Group I.

With respect to the species election, applicant provisionally elects, again with traverse, the species of SEQ ID No:35. In the event that a generic claim is not found allowable, and the election is maintained, the claims will be limited to the elected species.

## CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(a)(3))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9306, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 21 day of April, 2002.

  
Heidi S. Nebel